

9 FAM PART IV Appendix O, 500 U.S. REFUGEE PRIORITY SYSTEM

9 FAM PART IV Appendix O, 501 NEED FOR A PRIORITY SYSTEM

(TL:VISA-142; 4-22-96)

The worldwide priorities system sets guidelines for the orderly management of refugee admissions into the United States within the established annual regional ceilings. When the number of potential applicants exceeds the annual ceiling for refugees from a particular region (which is not infrequent), only those refugees who fall within specified priorities may be considered for admission. The priorities accord preferential treatment to refugees for whom the United States has special concern.

9 FAM PART IV Appendix O, 502 PERIODIC VARIANCES IN PRIORITIES

(TL:VISA-142; 4-22-96)

The priorities change from time to time. Posts should consult the most recent cables on the priority system for specific information on who is included in each priority group and which groups may be considered for refugee admission, given the geographic region of the applicant's country of chargeability.

9 FAM PART IV Appendix O, 503 CURRENT PRIORITIES

(TL:VISA-142; 4-22-96)

The processing priorities, with regional variations, are defined in the following paragraphs:

PRIORITY ONE

— UNHCR-referred or Embassy-identified persons who are facing compelling security concerns in countries of first asylum, in need of legal protection because of dangers of **refoulement**, or who are in danger due to threats of armed attack in areas where they are located, and former political prisoners.

— UNHCR-referred or Embassy-identified persons, including women-at-risk, victims of torture or violence, physically or mentally disabled and persons in urgent need of medical treatment not available in the country of first asylum.

— UNHCR-referred or Embassy-identified persons, for whom other durable solutions are not feasible and whose status in the place of asylum does not present a satisfactory long-term solution.

PRIORITY TWO (previously in Priority One)

CUBA

— In Cuba, former political prisoners, members of persecuted religious minorities, human rights activists, forced-labor conscripts, persons deprived of their professional credentials or subjected to other disproportionately harsh or discriminatory treatment resulting from their perceived or actual political or religious beliefs or activities, dissidents, and others who appear to have a credible claim that they will face persecution as defined in the 1951 UN Convention on Refugees and its 1967 Protocol.

IRAN

— Refugees who served in positions of leadership or played a conspicuous role within a religious denomination whose members are subjected to discrimination, including the clergy, prominent laymen, those who have served in denominational assemblies, governing bodies or councils;

— Refugees who because of their minority religious affiliations have been deprived of employment, have been driven from their homes, have had their business confiscated or looted, have been denied educational opportunities available to others similarly situated in the same area, or have been denied pensions that would otherwise be available.

LAOS

— Hmong in Phanat Nikhom and Na Pho camps in Thailand.

FORMER SOVIET UNION

— Soviet Jews, Evangelical Christians, and certain members of the Ukrainian Catholic and Orthodox churches.

VIETNAM

— Former re-education camp detainees who spent more than three years in re-education camps subsequent to April 1975 because of pre-1975 association with the USG or the former South Vietnamese government.

— Certain former USG employees and other specified individuals or groups of concern.

PRIORITY THREE

— Unmarried sons and daughters of U.S. citizens and parents of U.S. citizens under the age of 21. (Note that spouses and children of U.S. citizens and the parents of U.S. citizens who have attained the age of 21 are required to be admitted as immigrants rather than as refugees.)

— Spouses, unmarried sons, unmarried daughters, or parents of persons lawfully admitted to the United States as permanent resident aliens, refugees, asylees, conditional residents, and certain parolees.

PRIORITY FOUR

— Married sons and daughters, siblings, grandparents, and grandchildren of U.S. citizens and persons lawfully admitted to the United States as permanent resident aliens, refugees, asylees, conditional residents and certain parolees.

PRIORITY FIVE

— Uncles, aunts, nieces, nephews, and first cousins of U.S. citizens and persons lawfully admitted to the United States as permanent resident aliens, refugees, asylees, conditional residents and certain parolees.

DESIGNATED NATIONALITIES AND PROCESSING FACILITIES FOR FY-96

“Designated nationalities” are those nationalities considered to be of particular humanitarian concern to the United States. Applications from persons belonging to these nationalities may be considered at refugee processing posts in the processing priorities specified below without prior authorization from the Department of State or INS headquarters. Applications from persons belonging to nationalities not listed cannot be considered without prior authorization for “exceptional processing” from the Department of State and INS upon referral of the case from either UNHCR headquarters in Geneva or a U.S. embassy. (An exception to this requirement is that local UNHCR representatives in African countries may refer applications by Africans present in those countries directly to the Refugee Coordinator in Nairobi for consideration. The Refugee Coordinator in Nairobi, in conjunction with the INS Officer-in-Charge in Nairobi, may authorize consideration of such cases without reference to the Department of State or INS headquarters.)

DESIGNATED NATIONALITIES FOR FY-1996 ARE:

AFRICA

Burundian, Liberian, Rwandan, and Somali in Priority One only; Suda-nese and Zairian in Priority One and Three.

EAST ASIA

Burmese in Priority One; Lao (Hmong) and Vietnamese in Priorities One and Two.

FORMER SOVIET UNION AND EASTERN EUROPE

Former Soviet Union in Priorities One and Two.

Bosnian Muslims who have fled fighting in the former Yugoslavia and who fall into Priorities One and Three through Five. Under Priority One, persons meeting the following criteria can be considered by the program: vulnerable Bosnian Muslims (and on an exceptional basis non-Muslim Bosnians) referred for resettlement by UNHCR, such as former detainees, torture victims, and women victims of violence; Bosnians in mixed marriages of any ethnic background (i.e., Muslim-Serb; Serb-Croat; Muslim-Croat), and immediate family members of minor U.S. citizen children, who have been displaced as a result of the fighting in Bosnia-Herzegovina.

LATIN AMERICA AND CARIBBEAN

Cubans in Priority One worldwide and Priority Two processed in-country.

NEAR EAST/SOUTH ASIA

Iranian in Priorities One through Three (including the religious minority "group of special concern" in Priority Two); Iraqi in Priority One only in Saudi Arabia and in Priorities One and Three elsewhere.